STAND, COM. REP. NO.

1553

Honolulu, Hawaii

MAR 2 7 2019

RE: S.C.R. No. 12

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred S.C.R. No. 12 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING MEMBERS OF THE UNITED STATES CONGRESS TO AMEND FEDERAL LAW TO ENSURE THAT VICTIMS OF SEXUAL HARASSMENT AND SEXUAL ASSAULT WHO MIGHT OTHERWISE BE FORCED INTO ARBITRATION AND SILENCE INSTEAD HAVE ACCESS TO THE COURTS,"

begs leave to report as follows:

The purpose and intent of this measure is to request that members of the United States Congress amend federal law to ensure that victims of sexual harassment and sexual assault, who might otherwise be forced into arbitration and silenced, have access to the courts.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawaii, Hawaii Women Lawyers, Hawaii Women's Coalition, and Pride at Work Hawaii.

Your Committee finds that many employers require their employees, as a condition of employment, to sign arbitration agreements mandating that sexual harassment claims be resolved through arbitration instead of judicial proceedings. Your Committee further finds that the United States Senate and House of Representatives are considering legislation to address the issue of forced arbitration and secrecy in sexual harassment and sexual assault cases and thereby enable victims to seek redress in the

courts. Your Committee therefore finds that this measure requests that the members of the United States Congress amend federal law to ensure that victims of sexual harassment and sexual assault, who might otherwise be forced into arbitration and silenced, have access to the courts.

As affirmed by the record of votes of the members of your Committee on Public Safety, Intergovernmental, and Military Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Public Safety, Intergovernmental, and Military Affairs,

Clarence K. NISHIHARA, Chair

The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Public Safety, Intergovernmental, and Military Affairs PSM

Bill / Resolution No.:*	Committee Referral: Date:		ite: ola		
SCR 12	PSM, JDC/WAM 727/9				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye /	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)		V /			
WAKAI, Glenn (VC)		Ý			
BAKER, Rosalyn H.					V/
HARIMOTO, Breene					V
FEVELLA, Kurt		V			
				-	
TOTAL	/	3	0	0	2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					
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*Only one measure per Record of Votes